

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DEBORAH SHAW,)	Case No.
)	
Plaintiff,)	
)	
vs.)	COMPLAINT AND
)	<u>JURY DEMAND</u>
ARMORED KNIGHTS, INC., a)	
Nebraska corporation,)	
)	
Defendant.)	

COMES NOW the plaintiff and for her cause of action against the defendant and alleges and states as follows:

I.

The plaintiff is a citizen and resident of Council Bluffs, Iowa.

II.

The defendant Armored Knights, Inc. ("Armored Knights") is a Nebraska corporation with its principal place of business at 2330 Paul Street, Omaha, Nebraska 68102.

III.

The defendant operates an armored car and security business, and at all times material hereto has been an employer within the meaning of the Fair Labor Standards Act, 29 U.S.C. §201 et. seq.

IV.

This action arises out of the plaintiff's claim for overtime compensation pursuant to 29 U.S.C. §§207, 216 and 255. The Court has jurisdiction of this matter pursuant to 28 U.S.C. §1331 and 29 U.S.C. §216, for redress of violations of the Fair Labor Standards Act.

V.

In or about October of 1996, the plaintiff became employed by the defendant as an office assistant and was an employee of the defendant Armored Knights within the meaning of the Fair Labor Standards Act, 29 U.S.C. §201 et. seq.

VI.

The position of Office Assistant held by the plaintiff was covered by the maximum hours provisions of the Fair Labor Standards Act, 29. U.S.C. §207. The plaintiff was paid an hourly wage, which at the time of termination was \$9.00 per hour. Plaintiff regularly worked in excess of 40 hours per week but was paid by the defendant for overtime hours at straight time rather than time and one-half as required by law.

VII.

The failure of the defendant to pay time and one-half to the plaintiff is a violation of 29 U.S.C. §207, for which the defendant is liable to the plaintiff for one-half times the

plaintiff's regularly hourly rate for all hours per week in excess of 40 hours, plus an equal amount as liquidated damages.

VIII.

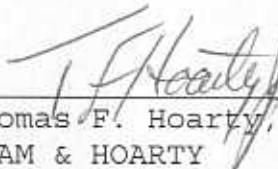
The defendant's failure to pay to the plaintiff the overtime compensation owed to her was willful within the meaning of 29 U.S.C. §255.

IX.

Pursuant to the provisions of 29 U.S.C. §216(b) the plaintiff is entitled to a reasonable fee for the services of her attorney in this action.

WHEREFORE, the plaintiff prays for judgment against the defendant, for all unpaid overtime compensation due her in an amount to be proved at trial, for liquidated damages, interest, the costs of this action and a reasonable attorney's fee.

DEBORAH SHAW, Plaintiff

By: 

Thomas F. Hoarty, Jr. #11863
BYAM & HOARTY
8990 West Dodge Road, Ste. 317
Omaha, NE 68114
(402) 397-0303
Attorney for Plaintiff

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

DEBORAH SHAW, being first duly sworn on oath, states that she has read the foregoing Complaint, and that the allegations are true to the best of her knowledge and belief.

Deborah Shaw
Deborah Shaw

SUBSCRIBED and sworn to before me this 31st day of January, 2003.



Jill Combs
Notary Public

JURY DEMAND

The Plaintiff hereby requests a trial by jury at Omaha, Nebraska.

T. Hentz